

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lightner et al.

Application No. 10/539,488

Filed: March 13, 2006

Confirmation No. 5163

For: GENERATION OF PLANTS WITH
ALTERED OIL CONTENT

FILED VIA EFS

Examiner: Elizabeth F. McElwain

Art Unit: 1638

Attorney Reference No. 8176-71295-07

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COMMISSIONER FOR PATENTS

**REQUEST FOR CONTINUED EXAMINATION
TRANSMITTAL LETTER**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the application referenced above.

Submission required under 37 C.F.R. § 1.114

- Previously submitted
- Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on May 28, 2009.
(Any unentered amendment(s) referred to above will be entered).
- Copy of Form 1449 previously submitted by Applicants on April 9, 2007 and (partially) considered by the Examiner on June 16, 2008.
- Enclosed
- Amendment/Reply: Copy of Amendment filed May 28, 2009.
- Copy of Form 1449 previously submitted by Applicants on April 9, 2007 and (partially) considered by the Examiner on June 16, 2008.

FILING FEE

| For | No. after amendment | No. paid for previously | Present Extra | Rate | Fee |
|-----------------------------|---------------------|-------------------------|---------------|----------|-----------------|
| Fee under 37 CFR 1.17(c) | | | | | \$810.00 |
| Total Claims | 5 | - 20* | = 0 | \$52.00 | \$ 0.00 |
| Indep. Claims | 3 | - 3** | = 0 | \$220.00 | \$ 0.00 |
| One-month Extension of Time | | | | \$130.00 | \$130.00 |
| TOTAL FILING FEE | | | | | \$940.00 |

* greater of twenty or number for which fee has been paid, ** greater of three or number for which fee has been paid.

- Applicant petitions for an extension of time for the number of months indicated above. If an additional extension of time is required please consider this a petition therefor.
- \$940.00 is submitted herewith via EFS.
- Please charge any additional fees that may be required in connection with filing this RCE and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550.
- If the Patent and Trademark Office determines that the amendment submitted with this RCE results in an additional application size fee for pages in excess of 100, please charge the fee to Deposit Account No. 02-4550.

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 595-5301

Respectfully submitted,
KLARQUIST SPARKMAN, LLP

By /Susan W. Graf/
Susan W. Graf, Ph.D.
Registration No. 60,432

cc: Docketing